

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IBEW LOCAL NO. 56 VACATION)	
FUND, NATIONAL LABOR MANAGEMENT)	
COOPERATIVE COUNCIL, NATIONAL)	
ELECTRICAL BENEFIT FUND, MICHAEL)	
ALBERICO AND AL CHURCH, AS)	
TRUSTEES OF THE IBEW LOCAL UNION)	
NO. 56 PENSION FUND, IBEW LOCAL)	
UNION NO. 56 HEALTH AND WELFARE)	
FUND, IBEW LOCAL UNION NO. 56)	CIVIL ACTION NO. 04-361 ERIE
EMPLOYEES DEFERRED SAVINGS PLAN,)	
IBEW LOCAL UNION NO. 56)	
DELINQUENCY PENALTY DEFAULT)	
FUND, ELECTRICAL EDUCATIONAL)	Judge Sean J. McLaughlin
TRUST FUND and IBEW LOCAL UNION)	
NO. 56 SUPPLEMENTAL)	
UNEMPLOYMENT FUND,)	
Plaintiffs,)	
)	
vs.)	
)	
CASSA ELECTRIC,)	
)	
Defendant,)	
)	
vs.)	
)	
FIRST NATIONAL BANK,)	
)	
Garnishee.)	
FIRST NATIONAL BANK'S)	ANSWER AND NEW MATTER TO

INTERROGATORIES DIRECTED TO GARNISHEE

TO: First National Bank
711 State Street #1
Erie, PA 16501

RE: Any and all accounts of Defendant, CASSA ELECTRIC. Address: 209 Wallace Street, Erie, PA 16507; Owner: Jay Cassa. Including, but not limited to, Account No. 043318092 700 088214.

YOU ARE HEREBY REQUIRED to file Answers to the following Interrogatories within twenty (20) days after service upon you. Failure to do so may result in a judgment against you. You should consult the Pennsylvania Rules of Civil Procedure and the local rules of the United States District Court for the Western District of Pennsylvania for further information or instructions.

1. At the time you were served with the writ of execution and/or these Interrogatories or at any subsequent time, did you owe the Defendant any money, or were you liable to the Defendant on any negotiable or other written instrument, or did the Defendant claim that you owed them any money or were liable to them for any reason?

ANSWER: YES.
Checking Account No. 700088214
Owner: Jay F. Cassa dba Cassa Electric
Balance: \$2,816.09
SEE NEW MATTER ATTACHED HERETO.

2. If the answer to Interrogatory #1 is yes, please state the amount of all such money owed the Defendant and the nature, date and other circumstances surrounding any and all such obligation and/or liability.

ANSWER: See response to Interrogatory No. 1.

3. At the time you were served with the writ of execution and/or these Interrogatories or at any subsequent time was there in your possession, custody or control, or in the joint possession, custody or control of yourself and one or more other persons, any property of any nature owned solely or in part by the Defendant?

ANSWER: See response to Interrogatory No. 1.

4. If the answer to Interrogatory #3 is yes, please describe all such property and its current location, and the nature, date and other circumstances surrounding your sole or joint possession, custody or control of all such property.

ANSWER: See response to Interrogatory No. 1.

5. At the time you were served with the writ of execution and/or these Interrogatories or at any subsequent time did you hold any legal title to any property of any nature owned solely or in part by the Defendant or in which the Defendant held or claimed any interest?

ANSWER: See response to Interrogatory No 1.

6. If the answer to Interrogatory #5 is yes, please describe all such property and its current location, and the nature, date and other circumstances surrounding your holding legal title to all such property.

ANSWER: See response to Interrogatory No.1 .

7. At the time you were served with the writ of execution and/or these Interrogatories or at any subsequent time did you hold as fiduciary any property in which the Defendant had an interest?

ANSWER: No.

8. If the answer to Interrogatory #7 is yes, please describe all such property and its current location, and the nature, date and other circumstances surrounding your fiduciary holding of all such property.

ANSWER: N/A

9. At any time before or after you were served with the writ of execution and/or these Interrogatories, did the Defendant transfer, deliver or make payment of any money, property or other asset to you or to any person or place pursuant to your direction or consent?

ANSWER: No.

10. If the answer to Interrogatory #9 is yes, please describe all such transfers, deliveries and/or payments of money, property or other assets, its/their current location, and the nature, date and other circumstances surrounding all such transfers, deliveries and/or payments.

ANSWER: N/A

11. At any time after you were served with the writ of execution and/or these Interrogatories, did you pay, transfer, deliver or make payment of any money, property or other asset to the Defendant, or to any person or place pursuant to the direction of the Defendant, or otherwise discharge any claim of the Defendant against you?

ANSWER: No.

12. If the answer to Interrogatory #11 is yes, please describe all such transfers, deliveries and/or payments of money, property or other assets and/or discharge of claims, and the nature, date and other circumstances surrounding all such transfers, deliveries, payments and/or discharges.

ANSWER: N/A

13. At the time you were served or at any subsequent time, did you have or share any safe-deposit boxes, pledges, documents of title, securities, notes, coupons, receivable, or collateral in which there was an interest claimed by the Defendant?

ANSWER: No.

14. If the answer to Interrogatory #13 is yes, please describe all such safe-deposit boxes, pledges, documents of title, securities, notes, coupons, receivable, or collateral and their current location, and the nature, date and other circumstances surrounding all such property.

ANSWER: N/A

15. Identify every account (not previously noted), titled in the name of the Defendant or in which you believe the Defendant has an interest in whole or in part, whether or not styled as a payroll account, individual retirement account, tax account, lottery account, partnership account, joint or tenants by entirety account, insurance account, trust or escrow account, attorney's account or otherwise.

ANSWER: See response to Interrogatory No. 1.

16. At the time you were served with the writ of execution and/or these Interrogatories or at any subsequent time, did you owe or were you liable or responsible to make any payments to the Defendant pursuant to any written or oral contract?

ANSWER: No.

17. If the answer to Interrogatory #16 is yes, state the amount and date for each such payment due and describe the nature, date and other circumstances surrounding all such debts or liabilities owed to Defendant.

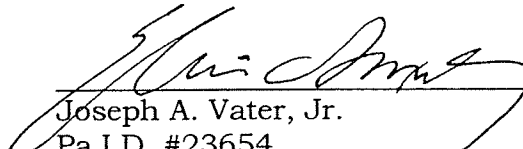
ANSWER: N/A

18. At the time you were served with the writ of execution and/or these Interrogatories or at any subsequent time, was there in your possession, custody or control or in the joint possession, custody or control of yourself and one or more other persons any property of any nature owned solely or in part by the Defendant that is traceable to proceeds from Social Security benefits received via electronic direct deposit transfer or otherwise from the United States Government? If yes, please describe the property.

ANSWER:

No.

Respectfully submitted,



Joseph A. Vater, Jr.
Pa I.D. #23654


Elaina A. Smiley
Pa I.D. #84024

MEYER, UNKOVIC & SCOTT LLP
1300 Oliver Building
Pittsburgh, PA 15222
(412) 456-2800
Attorneys For Plaintiffs

VERIFICATION


I, CHARLES C. CASALNOVA, a duly authorized representative of First National Bank of Pennsylvania, Garnishee, hereby verify that the foregoing Answer to Interrogatories are true based upon my personal knowledge or information and belief. This statement is made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsification to authorities.

Dated: 9/16/05


Charles C. Casanova
Corporate Counsel

NEW MATTER

- (1) The amount listed in response to Interrogatory No. FIRST is subject to Garnishee's attorneys fees and costs of \$175.00 for processing this garnishment matter.

BY 
Charles C. Casanova
Attorney for Garnishee
First National Bank of Pennsylvania